

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

RODERICK EATMOND,)
)
Plaintiff,)
)
v.)
)
STATE OF MISSOURI,)
)
Defendant.)

ORDER

This matter is before the Court upon the filing of plaintiff's complaint pursuant to 42 U.S.C. § 1983. The Court cannot review the merits of the instant action at this time, because plaintiff has submitted neither the \$400 filing fee nor a form motion to proceed in forma pauperis along with a certified copy of his prison trust fund account statement.

Moreover, plaintiff has submitted an unsigned complaint. “The court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” Fed. R. Civ. P. 11. As a result, the Court will order the Clerk to return the complaint to plaintiff so that plaintiff may sign and return it to the Court for filing.

Therefore,

IT IS HEREBY ORDERED that, within thirty (30) days from the date of this Order, plaintiff shall either pay the \$400 filing fee or submit a motion to proceed in forma pauperis and a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the submission of his complaint.

IT IS FURTHER ORDERED that the Clerk shall return the original complaint to plaintiff, as well as a copy of this Order, for the purpose of obtaining a signed original complaint.

IT IS FURTHER ORDERED that plaintiff shall submit within thirty (30) days from the date of this Order a complaint bearing his original signature.

IT IS FURTHER ORDERED that if plaintiff fails to comply with this Order, this case will be dismissed without prejudice.

Dated this 15th day of July, 2013.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE